

State of Utah

Individuals with Disabilities Education Act 2004

State Performance Plan

2005-2006
through
2010-2011

Prepared by the
Utah State Office of Education
December 2, 2005
Revised February 1, 2007

State Performance Plan Executive Summary

Overview of Process

With the reauthorization of the Individuals with Disabilities Education Act in 2004, states are required to develop a six-year State Performance Plan (SPP) and submit the plan to the Secretary of Education in the United States Department of Education for approval. The SPP includes rigorous goals for twenty specific indicators outlined in the federal statute. In establishing the rigorous goals, states are required to analyze baseline and trend data, gather input from stakeholders, and outline recommended activities for achieving the proposed targets.

The Utah State Office of Education (USOE) Special Education Services Unit gathered and analyzed available data and drafted a proposed SPP that was shared with members of the Utah Special Education Advisory Panel and the Utah Agenda Steering Committee on October 11, 2005. Those two committees include representatives from the following stakeholder groups: parents of students with disabilities, individuals with disabilities, general and special education teachers, related service providers, school and district administrators, other state agencies that serve individuals with disabilities, institutions of higher education (IHEs), SEA staff, ethnic minority groups, and the Utah State Board of Education (USBE). Specific input was gathered at that meeting. Revisions were made to SPP indicators in coordination with the February 1, 2007 submission of the Part B Annual Performance Report. The revisions were made with broad stakeholder input, after implementation of improvement activities and careful analysis of progress and/or slippage on each indicator.

To meet the requirements for public input, the USOE made the SPP available for public comment via the Special Education web-page located on the USOE website. Public comment was accepted up through November 21, 2005. The USOE Special Education Services staff considered all comments and input, and made appropriate revisions to the SPP.

Summary of State Performance Plan Indicators

The Office of Special Education Programs (OSEP) in the U.S. Department of Education has provided the following mandatory indicators that each state must address in its SPP. The indicators address three monitoring priorities: Free Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE), Disproportionality, and Effective General Supervision.

Indicator	Baseline Data	Rigorous Targets
Indicator 1 – Percent of youth with IEPs graduating with a regular diploma compared to percent of all youth in the state graduating with a regular diploma.	For 2004-2005, the following graduation results have been identified: Regular Education 85.58% Special Education 70.01% Difference -15.57%	2005-2006: Increase percentage of students with disabilities graduating with a regular diploma by 2%. 2006-2007: Increase by 2% 2007-2008: Increase by 2% 2008-2009: Increase by 2% 2009-2010: Increase by 2% 2010-2011: 82% of students with disabilities will have graduated with a regular diploma.

Indicator 2 – Percent of youth with IEPs dropping out of high school compared to the percent of all youth in the state dropping out of high school.	For 2004-2005, the following drop-out rates have been identified: Regular Education 3.15% Special Education 3.56% Difference +0.41%	2005-2006: Reduce the number of youth with IEPs dropping out of high school by 2%. 2006-2007: Reduce # by 2% 2007-2008: Reduce # by 3% 2008-2009: Reduce # by 5% 2009-2010: Reduce # by 5% 2010-2011: Reduce the number of youth with IEPs dropping out of high school by 5%, for an overall reduction of 21% compared to 2004-2005 baseline rate.
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Indicator 3 – Participation and performance of children with disabilities on statewide assessments. 3A – Percent of LEAs meeting state's AYP objectives for progress for disability subgroup.	For 2004-2005, 25 of 57 (44%) local education agencies met NCLB AYP objectives for students with disabilities subgroup.	2005-2006: Increase the percentage of LEAs meeting state's AYP objectives for students with disabilities subgroup to 48%. 2006-2007: Increase to 54% 2007-2008: Increase to 60% 2008-2009: Increase to 66% 2009-2010: Increase to 72% 2010-2011: 78% of LEAs will have achieved NCLB AYP objectives for students with disabilities subgroup.
3B – Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.	For 2004-2005, the following participation rates on statewide assessments were identified for students with disabilities: Math 86.24% Language Arts 91.91%	2005-2006: Increase the percentage of students with disabilities participating in statewide assessments to 95%. 2006-2007: Increase to 96% 2007-2008: Increase to 97% 2008-2009: Increase to 98% 2009-2010: Increase to 99% 2010-2011: 100% of students with disabilities will have participated in statewide assessments.
3C – Proficiency rate for children with IEPs against grade level and alternate	For 2004-2005, the following proficiency rates on statewide assessments were identified	2005-2006: Increase the percentage of students with disabilities achieving

achievement standards.	for students with disabilities: Math - 36.64% Language Arts - 37.60%	proficiency on statewide assessments to: Math - 42% Language Arts - 43% 2006-2007: Increase percentage proficient to: Math - 50% Language Arts - 51% 2007-2008: Increase percentage proficient to: Math - 58% Language Arts - 59% 2008-2009: Increase percentage proficient to: Math - 63% Language Arts - 64% 2009-2010: Increase percentage proficient to: Math - 71% Language Arts - 72% 2010-2011: The percentage of students with disabilities achieving proficiency on statewide assessments will be: Math - 79% Language Arts - 80%
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Indicator 4 – Rates of suspension and expulsion: 4A – Percent of districts identified by the state as having a significant discrepancy in the rates of suspension and expulsion of children with disabilities for greater than 10 days in a year.	For 2004-2005, 7.3% of LEAs were identified by the state as having a significant discrepancy in rates of suspension/expulsion of students with disabilities for more than 10 days.	2005-2006: Reduce the percentage of LEAs identified as having a significant discrepancy in rates of suspension/expulsion of students with disabilities for more than 10 days by 1%. 2006-2007: Reduce by 1% 2007-2008: Reduce by 1% 2008-2009: Reduce by 1% 2009-2010: Reduce by 1% 2010-2011: Reduce by 6% the number of LEAs with significant discrepancies in rates of suspension/expulsion of students with disabilities for more than 10 days.
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4B - Percent of districts identified by the state as having a significant discrepancy in the rates of suspension and expulsion of greater than 10 days in a year of children with disabilities by race and ethnicity.	The 2005-2006 school year baseline data show: 3% of LEAs with significant discrepancy of rates in suspensions and expulsions of students with disabilities by race and ethnicity.	To be determined after 2005-2006 baseline data is collected. The baseline data, rigorous targets, and improvement activities will be included in the spring 2007 submission of the Annual Performance Report for the 2005-2006 school year.
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Indicator 5 – Percent of children with IEPs aged 6-21: A. Removed from regular class less than 21% of the day; B. Removed from regular class greater than 60% of the day; or C. Served in public or private separate schools, residential placements, or homebound or hospital placements.	The 2004-2005 school year baseline data show: A. Removed from regular class less than 21% of the day equals 42.1% B. Removed from regular class greater than 60% of the day equals 21.5% C. Served in public or private separate schools, residential placements, or homebound or hospital placements equals 3.47%	For Indicator 5, Utah will measure improvement by comparing each year's LRE percentages with the levels from the previous year. A. Removed from regular class less than 21% of the day. 2005-2006: Increase by 3% 2006-2007: Increase by 2% 2007-2008: Increase by 1% 2008-2009: Increase by 1% 2009-2010: Increase by 1% 2010-2011: Increase by 1% B. Removed from regular class greater than 60% of the day. 2005-2006: Decrease by 3% 2006-2007: Decrease by 2% 2007-2008: Decrease by 1% 2008-2009: Decrease by 1% 2009-2010: Decrease by 1% 2010-2011: Decrease by 1% C. Served in public or private separate schools, residential placements, or homebound or hospital placements. 2005-2006: Decrease by .1% 2006-2007: Decrease by .1% 2007-2008: Decrease by .1% 2008-2009: Decrease by .1% 2009-2010: Decrease by .1% 2010-2011: Decrease by .1%
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<p>Indicator 6 – Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (e.g. early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).</p>	<p>The 2004-2005 school year baseline data show 55.5% of preschool children with IEPs are served in typical settings. Three years of data show a promising trend toward preschool LRE.</p>	<p>The percentage of preschool children with IEPs served in typical settings will increase according to the following targets: 2005-2006: Increase to 56% 2006-2007: Increase to 56.5% 2007-2008: Increase to 57% 2008-2009: Increase to 57.5% 2009-2010: Increase to 58% 2010-2011: Increase to 58.5%</p>
<p>Indicator 7 – Percent of preschool children with IEPs who demonstrate improved:</p> <ul style="list-style-type: none"> A. Positive social-emotional skills (including social relationships): B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and C. Use of appropriate behaviors to meet their needs. 	<p>Because Utah has already initiated a preschool outcomes pilot study, the 2005-2006 school year will be the baseline data collection year. A revised proposal for outcomes assessment incorporating further guidance from OSEP may be submitted with spring 2007 APR. This is a new reporting requirement for states.</p>	<p>To be determined after 2005-2006 baseline data is collected. The baseline data, rigorous targets, and improvement activities will be included in the spring 2007 submission of the Annual Performance Report for the 2005-2006 school year.</p>
<p>Indicator 8 – Percent of parents with a child receiving special education services who report that school districts facilitated parent involvement as a means of improving services and results for students with disabilities.</p>	<p>2005-2006 school year baseline data indicate: 91% of parents with a child receiving special education services report that schools facilitated parent involvement as a means of improving services and results for students with disabilities.</p>	<p>To be determined after 2005-2006 baseline data is collected. The baseline data, rigorous targets, and improvement activities will be included in the spring 2007 submission of the Annual Performance Report for the 2005-2006 school year.</p>

Monitoring Priority – Disproportionality

Indicator	Baseline Data	Rigorous Targets
Indicator 9 – Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.	The 2005-2006 school year baseline data show: 0% LEAs with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.	The rigorous target for states on the percent of districts with disproportionate representation of racial and ethnic groups in special education and related services as the result of inappropriate identification will be zero (0). 2005-2006: 0% 2006-2007: 0% 2007-2008: 0% 2008-2009: 0% 2009-2010: 0% 2010-2011: 0% of districts will have disproportionate representation of racial and ethnic groups in special education and related services as the result of inappropriate identification.
Indicator 10 - Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.	The 2005-2006 school year baseline data show: 0% LEAs with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.	OSEP has determined that the rigorous target for states on the percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories as the result of inappropriate identification will be zero (0). 2005-2006: 0% 2006-2007: 0% 2007-2008: 0% 2008-2009: 0% 2009-2010: 0% 2010-2011: 0% of districts will have disproportionate representation of racial and ethnic groups in specific disability categories as the result of inappropriate identification.

Monitoring Priority – Effective General Supervision

<p>Indicator 11 – Percent of children with parental consent to evaluate, who were evaluated and eligibility determined within 60 days (or state established timeline).</p>	<p>The 2005-2006 school year baseline data indicate: 76% of all reviewed files documented initial eligibility was determined within 60 days of parental consent.</p>	<p>OSEP has determined that the rigorous target for states on the percent of children with parental consent to evaluate, who were evaluated and eligibility determined within 60 days is 100%.</p> <p>2005-2006: 100% 2006-2007: 100% 2007-2008: 100% 2008-2009: 100% 2009-2010: 100% 2010-2011: 100% percent of children with parental consent to evaluate, will have been evaluated and eligibility determined within 60 days.</p>
<p>Indicator 12 – Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.</p>	<p>In the 2004-2005 school year, 64% of children referred by Part C prior to age 3, who were found eligible for Part B, had an IEP developed and implemented by their third birthdays. For the 2003-2004 school year, the state identified that 19% of children served in Part C were not accounted for in terms of whether those children were determined to be eligible or ineligible for Part B services.</p>	<p>OSEP has determined that the rigorous target for states on the percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays is to be 100%.</p> <p>2005-2006: 100% 2006-2007: 100% 2007-2008: 100% 2008-2009: 100% 2009-2010: 100% 2010-2011: 100% of children referred by Part C prior to age 3, who are found eligible for Part B, will have had an IEP developed and implemented by their third birthdays</p>

<p>Indicator 13 – Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet post-secondary goals.</p>	<p>The 2005-2006 school year baseline data indicate: 78% of LEAs monitored that served transition age students met compliance requirements.</p>	<p>OSEP has determined that the rigorous target for states on the percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet post-secondary goals is 100%.</p> <p>2005-2006: 100% 2006-2007: 100% 2007-2008: 100% 2008-2009: 100% 2009-2010: 100% 2010-2011: 100% of youth aged 16 and above will have had an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet post-secondary goals.</p>
<p>Indicator 14 – Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of post-secondary school, or both, within one year of leaving high school.</p>	<p>The 2006-2007 school year will be the baseline data collection year for students exiting during 2005-2006. This is a new reporting requirement for states.</p>	<p>To be determined after 2006-2007 baseline data is collected. The baseline data, rigorous targets, and improvement activities will be included in the spring 2008 submission of the Annual Performance Report for the 2006-2007 school year.</p>
<p>Indicator 15 – General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.* A. Noncompliance related to monitoring priority areas.</p>	<p>For those LEAs who have had at least one year since findings of noncompliance were identified, 61% of those findings have been corrected.</p> <p>For those LEAs who have had at least one year since findings of non compliance were identified, 50% of those findings have been corrected.</p>	<p>OSEP has determined that the rigorous target for states on the percent of findings of noncompliance that must be corrected within one year is 100%, for all data sources.</p> <p>2005-2006: 100% 2006-2007: 100% 2007-2008: 100% 2008-2009: 100% 2009-2010: 100%</p>

<p>B. Noncompliance related to areas not included in the above priority areas.</p> <p>C. Noncompliance identified through complaints, due process hearings, mediations, etc.</p> <p><i>*New measurement requirements have been instituted since these baseline data were collected.</i></p>	<p>For those LEAs who have had at least one year since findings of noncompliance were identified, 100% of those findings have been corrected.</p>	<p>2010-2011: 100% of <u>all</u> findings of noncompliance will have been corrected as soon as possible but in no case later than one year.</p>
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<p>Indicator 16 – Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.</p>	<p>For 2004-2005, 18 of 20 (90%) of signed written complaints were resolved within the 60-day timeline.</p>	<p>OSEP has determined that the rigorous target for states on the percent of signed written complaints that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint will be 100%.</p> <p>2005-2006: 100% 2006-2007: 100% 2007-2008: 100% 2008-2009: 100% 2009-2010: 100% 2010-2011: 100% of all signed written complaints will have been resolved within the 60-day timeline.</p>
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<p>Indicator 17 – Percent of fully adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.</p>	<p>For 2004-2005, 3 of 3 (100%) of due process hearing requests were resolved without a hearing. These were resolved through mediation.</p>	<p>OSEP has determined that the rigorous target for states on the percent of fully adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline properly extended by the hearing officer will be 100%.</p>
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		2005-2006: 100% 2006-2007: 100% 2007-2008: 100% 2008-2009: 100% 2009-2010: 100% 2010-2011: 100% of all fully adjudicated due process hearing requests will have been fully adjudicated within the 45-day timeline.
Indicator 18 – Percent of hearing requests that went to resolution sessions that were resolved through resolution settlement agreements.	For 2005-2006, 4 of 4 (100%) of hearing requests that went to resolution sessions were resolved through resolution settlement agreements.	2004-2005: 85% 2005-2006: 85% 2006-2007: 85% 2007-2008: 85% 2008-2009: 85% 2009-2010: 85% 2010-2011: 85%
Indicator 19 – Percent of mediation requests that resulted in mediation agreements.	For 2004-2005, 3 of 3 (100%) requests for mediation were resolved through mediation. IDEA 2004 includes a new provision that requires states to make mediation available at any time. It is anticipated that the number of mediation requests may increase substantially.	2005-2006: 80% 2006-2007: 82% 2007-2008: 84% 2008-2009: 86% 2009-2010: 88% 2010-2011: 90% of mediations will have resulted in mediation agreements.
Indicator 20 – State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.	For 2004-2005, all state reported data reports were submitted on time. USOE continues to improve the data collection and reporting systems that improve the accuracy of data reported.	OSEP has determined that the rigorous target for states on the percent of state reported data that is timely and accurate will be 100%. 2005-2006: 100% 2006-2007: 100% 2007-2008: 100% 2008-2009: 100% 2009-2010: 100% 2010-2011: 100% of state reported data will be timely and accurate.